U.S. Patent Application No. 09/833,431
Attorney Docket No. 13DV-13933 (07783-0079-01)

REMARKS

The Office Action mailed June 6, 2005 has been received and carefully considered.

Claims 1-20 are pending, all which currently stand rejected. Claim 1, 11 and 20 are independent. Claims 1, 4-9, 11, 14-17, 19 and 20 stand rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent 6,453,339 to Schultz, et al. (Schultz) in view of U.S. Patent 6,795,826 to Flinn, et al. (Flinn). Claims 10 and 18 stand rejected under 35 U.S.C. §103(a) as obvious over Schultz and Flinn in further view of U.S. Patent 6,272,493 to Pasquali (Pasquali). Claims 2-3 and 12-13 stand rejected under 35 U.S.C. §103(a) as obvious over Schultz and Flinn in further view of U.S. Patent 6,381,640 to Beck et al. (Beck).

The comments of the Response filed January 17, 2005 are incorporated by reference.

I.   Amendments to the Claims.

Claims 1 and 11 are amended to incorporate a limitation previously found in claims 4 and 14 respectively. No new matter is added.

II.   Rejection under 35 U.S.C. § 103(a).

a.   Claims 1, 4-9, 11, 14-17, 19 and 20

Claims 1, 4-9, 11, 14-17, 19 and 20, of which claims 1, 11 and 20 are independent, stand rejected as unpatentable over Schultz in view of Flinn. Office Action at page 2. Applicants respectfully traverse the rejection.

As amended, claim 1 requires that the means for monitoring selection of a module of the plurality of modules by a user on a client computer includes means for detecting addition of a module to the portal by a user and means for detecting removal of a module from the portal by a user.

7

As understood by Applicants, Schultz is directed to a system and method for displaying information from different sources. Users of the system contribute to an organization's library of information by publishing unstructured content to a storage device and by accessing the content via object keys stored in a repository. Col. 3, lines 10-18. Information in the library is organized into channels, which are logical organizations by subject, to which users can subscribe. Col. 3, lines 19-29. Users can customize a newspage to display timely headlines from subscribed channels. Col. 3, lines 44-46. An automated process termed a "messenger" alerts the user when an event pertinent to that user has occurred. Each messenger is defined by a name, description and event. In addition, messengers may include a link to a referenced content page. The messenger's alert takes the form of an e-mail to the user or is presented as a headline on the user's newspage. Col. 3, lines 48-61.

With respect to the limitation of means for detecting addition and removal of modules by a user, the Examiner argues that the limitation is found at col. 6, lines 63-64 of Schultz. Yet these and other portions of Schultz appear to refer only to the ability of an administrator to add or delete modules from the system, not a user. For example, the cited portion of Schultz is in the context of a discussion of classes that controls access to content. Col. 6, lines 55-60. There is no teaching that such an addition or removal is detected by any party, administrator or user. Thus, Schultz fails to teach, disclose or suggest means for detecting addition or removal of a module from the portal by a user. Furthermore, if the administrator of Schultz was being used to add or delete modules, then there would appear to be no reason for the addition or deletion to be detected, the administrator necessarily aware of what modules are being added or deleted when the administrator is adding or deleting them.

8

Flinn fails to overcome the deficiencies of Schultz and specifically fails to overcome the lacking of any teaching or suggestion by Schultz of means to detect the addition or removal of modules from the portal. As understood by Applicants, Flinn is directed to a system for managing information using fuzzy logic to search and provide content over a network. Applicants respectfully submit that not only does Flinn fail to overcome the deficiencies of Schultz, but that one of ordinary skill in the art interested in tracking usage of modules in a portal of a computer network would not review references concerned with fuzzy logic searching techniques, such as Flinn.

Furthermore, neither Schultz nor Flinn are directed to or suggest the primary purpose of Applicants' claimed invention that concerns monitoring the popularity of various portals of computer networks.

The Examiner admits that Schultz fails to teach means for monitoring selection of a module in that the Examiner's uses Flinn in combination with Schultz to teach this limitation (See Office Action at page 4, ¶d). Yet the Examiner cites Schultz to reject the additional limitation for a means for detecting accessing of a module by a user (See Office Action at page 4, ¶a1). If, as the Examiner admits, Schultz fails to teach the limitation "means for monitoring selection of a module..." and necessitates the addition of Flinn, then contrary to the Examiner's later argument, Schultz could not possibly teach any additional sub-limitations, such as "wherein the means for monitoring further comprises means for detecting addition of a module to the portal by a user and means for detecting removal of a module from the portal by a user" as found in Applicants' claimed invention.

Independent claim 11 also contains the relevant limitations discussed with respect to claim 1 above. Furthermore, each of dependent claims 5 and 15, as well as independent claim

9

20), include a limitation relating to retrieved information including a number of users adding or removing a particular module from the portal. Thus, not only do the references fail to teach means for detecting the addition or removal modules, they necessarily fail to teach storing and retrieving information relating to the number of modules added or removed.

Because claim 11 stands rejected for essentially the same rationale as claim 1, claim 11 is also patentable over Schultz in view of Flinn. *A fortiori*, all claims depending from claims 1 or 11 are also not rendered unpatentable by Schultz in view of Flinn, and the rejection of claims 1, 4-9, 11, 14-17, 19 should be withdrawn. Likewise, because neither Schultz nor Flinn teach, disclose or suggest the additional limitation of retrieved information including a number of users adding or removing a particular module from the portal, the rejection with respect to independent claim 20 should also be withdrawn.

b. Claims 10 and 18

Claims 10 and 18 stand rejected as obvious over Schultz and Flinn in further view of Pasquali. Applicants respectfully traverse the rejection.

Pasquali discloses a system and method for facilitating a windowed content manifestation environment within a web browser. Pasquali, Abstract. Pasquali is believed to be cited only for the limited teaching of connecting a server and a client computer over an intranet. *See* Office Action at pages 10-11. Each of claims 10 and 18 is believed to be allowable as depending from an independent claim already shown to be allowable for the reasons given above. Furthermore, Pasquali fails to overcome the deficiencies demonstrated in Schultz and Flinn. Thus, the rejection under 35 U.S.C. §103 of claims 10 and 18 should be withdrawn.

10

c. Claims 2-3 and 12-13

Claims 2-3 and 12-13 stand rejected as obvious over Schultz and Flinn in further view of Beck. Applicants respectfully traverse the rejection.

Beck discloses a multimedia call center with an agent work presentation software model programmed to launch automatically when an agent logs onto the call center operating system. Beck, Abstract. Beck is believed to be cited only for the limited purpose that information can be sorted using particular input parameters. *See* Office Action at pages 11-12.

Each of claims 2-3 and 12-13 is believed to be allowable as depending from an independent claim already shown to be allowable for the reasons given above. Furthermore, Beck fails to overcome the deficiencies demonstrated in Schultz and Flinn. Thus the rejection under 35 U.S.C. §103 of claims 2-3 and 12-13 should be withdrawn.

11

U.S. Patent Application No. 09/833,431
Attorney Docket No. 13DV-13933 (07783-0079-01)

CONCLUSION

For at least the foregoing reasons, Applicants respectfully request reconsideration of the Application and withdrawal of the outstanding rejections. Applicants respectfully submit that claims 1-20 are not rendered obvious by Schultz in view of Flinn, Pasquali, Beck or any combination thereof, and thus, the claims are in condition for allowance. Applicants request allowance of claims 1-20 in a timely manner. If the Examiner believes that prosecution of this Application could be expedited by a telephone conference, the Examiner is encouraged to contact the Applicants' undersigned representative.
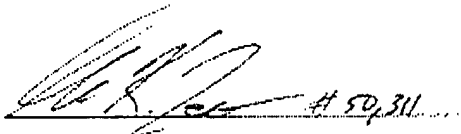
This Amendment/Response is filed within three (3) months of the mailing date of the Office Action and it is believed that no fee is due with the filing of this paper. In event that Applicants are mistaken in their calculations, the Commissioner is authorized to deduct any fees determined by the Patent Office to be due from the undersigned's Deposit Account No. 50-1059.

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Respectfully submitted,

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12